

October 16, 2001

Honorable Spencer Abraham
Secretary of Energy
U.S. Department of Energy
Washington, DC 20585

REFERENCE: Secretary's Site Suitability Recommendation on Yucca Mountain Site

Dear Secretary Abraham:

I am writing to support and encourage you to recommend to the President that the Yucca Mountain site in Nevada be developed as the spent nuclear fuel and high level nuclear waste geologic repository pursuant to Section 114 (a) (1) of the NWPA of 1982 as amended.

I am responding to your request to Ms. Tricia Tangney of the S.C. Energy Office (dated August 28, 2001) as well as the request in the Federal Register 66-169 at page 45845-45846 (dated August 30, 2001) for comment on several topics related to the suitability of the Yucca Mountain Site as the candidate for proceeding with the NRC licensing process as a Nuclear Waste Repository.

On December 21, 1999 I wrote to Ms. Dixon⁽¹⁾ to express support of the DOE's Draft EIS on this subject. Publication of the Supplement to the Draft EIS ⁽²⁾ in May, 2001, provided an update to the original EIS which upon review reinforced my December '99 agreement and support of the decision. In July 2001 publication of the Yucca Mountain Preliminary Site Suitability Evaluation ⁽³⁾ provided further confirmation of the appropriateness of the Yucca Mountain Site for pursuit through Presidential recommendation and on to filing appropriate documents with the NRC to initiate the formal licensing process. Members of the South Carolina Governor's Nuclear Advisory Council and the South Carolina State Energy Office reviewed the referenced documents and provided the basis for these comments.

My conclusion is that the (PSSE) Preliminary Site Suitability Evaluation is a valid and appropriate basis for you to recommend to the President that the Yucca Mountain Site is suitable for development as a repository. A review the most recent documents (noted in the preceding paragraph) pertaining to the suitability of the site indicate that the \$6 billion dollars expended over the last 20 years has served its purpose. I believe that the Yucca Mountain Site can meet the applicable radiation protection standards recently promulgated by the EPA and the regulatory requirements of 10 CFR 72 of the Nuclear Regulatory Commission.

I believe that the extensive geologic and related studies on Yucca Mountain by scientists and engineers over the last two decades and review by the Nuclear Waste Technical Review Board and the National Academy of Science provide a sound basis for proceeding with the regulatory process. Thus I believe you should recommend the Site to the President.

I have identified no valid or compelling reason that would prevent the President from concluding that the site is qualified for application for a construction license from the NRC.

In my letter of December 1999⁽¹⁾ I noted that South Carolina has done its share for the defense of the country through the operations at the Savannah River Site and in ensuring the safe disposal of the nations' commercial low-level radioactive waste. Furthermore, South Carolina leads the nation in the proportion of our electricity generated by nuclear power plants, and we are grateful for the stability of our power supply.

Along with this benefit comes the need to store, in on-site basins or dry storage casks, the spent fuel from power plant operations. In addition to on-site storage of spent fuel at commercial power plants and disposal of low level radioactive waste at the Barnwell Site and storage of high level nuclear waste from operations at the Savannah River Site, the Department has proposed long term operations to manage at SRS large plutonium inventories from around the DOE complex and from foreign sources.

I have recently written to you of our firm view that we agree to those operations only under the conditions that funding and all other necessary programs will provide assurance that the plutonium will not be permanently stored in S.C. My commitment to this course of action has led to several discussions between us, our Congressional Delegation and the Department, that make us hopeful that these matters will be resolved satisfactorily.

All of these considerations strongly suggest that, at the present time, the nation's most constructive long term course is to proceed with the licensing and eventual operation of the Yucca Mountain Facility to relieve South Carolina and other involved states from the heavy burden of nuclear waste and materials stored on site. I hope other states which have themselves been the site of similar or related nuclear activities over the last half century will join in support of DOE's effort to proceed with the Yucca Mountain program as the best, most extensively investigated prospect disposition of these materials.

We believe that absolute certainty about the site's suitability in the long term is unachievable. We also believe that every generation should do its best to leave a workable legacy for succeeding generations. To suggest or attempt to preclude future generations from improving such facilities or indeed choosing another course than "permanent" disposal is presumptuous if not arrogant. Designating the Yucca Mountain facility as a Monitored Geologic Repository conveys the reality that wastes can be safely deposited for a long time and that continued operations will confirm the adequacy of the facility and will allow future operators the basis for confidence in the site while providing the ability to determine if additional work is needed.

Therefore in conclusion South Carolina urges that you recommend to the President that the DOE proceed to the NRC licensing process as our best hope for this generation and for America in responsible management of nuclear waste from national defense programs and from commercial electric power operation.

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Thank you for providing the opportunity for comment on this important activity for a secure and prosperous future for America. If you have questions regarding this letter, please contact Hank Stallworth of my staff.

Sincerely,

Jim Hodges

References:

- (1) 1999 letter to: Ms. Wendy Dixon
EIS Project Manager
Yucca Mountain Site Characterization Office
Office of Civilian Radioactive Waste Management
U. S. DOE
P. O. Box 30307, M/S 010
North Las Vegas, Nevada 89036/0307
December 21, 1999
- (2) DOE/EIS –0250D – Supplement to the Draft Environmental Impact Statement for a Geologic Repository for the Disposal of Spent Nuclear Fuel and High Level Radioactive Waste at Yucca Mountain, Nye County, Nevada, May 2001
- (3) DOE/RW – 0540 – Yucca Mountain Preliminary Site Suitability Evaluation, July 2001